

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IVAN BLACK,

Plaintiff,

v.

CASE NO. 2:09-CV-14774  
HONORABLE ARTHUR J. TARNOW

PAROLE BOARD MEMBERS, ET AL.,

Defendants.

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**ORDER TRANSFERRING CASE TO THE UNITED STATES  
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

Before the Court is Plaintiff Ivan Black's *pro se* civil rights complaint brought pursuant to 42 U.S.C. § 1983. Plaintiff is a Michigan prisoner currently confined at the Ionia Maximum Correctional Facility in Ionia, Michigan. Plaintiff's complaint is difficult to follow, but he appears to be asserting claims relating to his parole eligibility, loss or theft of mail, sexual harassment/assault by staff, and possibly his medical care. Plaintiff names the Michigan Parole Board members and unspecified prison correctional officers and wardens as the defendants in this action.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. 28 U.S.C. § 1331(b). Public officials "reside" in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6<sup>th</sup> Cir. 1972).

Pursuant to 28 U.S.C. § 1404(a), a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice.

Having reviewed the complaint, the Court finds that the United States District Court for the Western District of Michigan is a more appropriate forum for this action. The defendant parole board members reside in Ingham County and the defendant corrections officers and wardens reside in Ionia County for purposes of the present complaint. Additionally, Plaintiff is incarcerated in Ionia County. Both Ingham County and Ionia County lie in the Southern Division of the Western District of Michigan. 28 U.S.C. § 102(b). Accordingly, the Court **ORDERS** the Clerk of the Court to transfer this case to the United States District Court for the Western District of Michigan. 28 U.S.C. §§ 1391(b) and 1404(a).

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: December 22, 2009